



3
Atty Dkt No. 8325-0015
Client No. S15-US1

DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: DATABASES OF REGULATORY SEQUENCES; METHODS OF MAKING AND USING SAME the specification of which

— is attached hereto
X was filed on April 27, 2001

and assigned Serial No. 09/844,501.

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §§ 1.56(a) and (b) which state:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated

through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office,

or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than six months prior to this application.

I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below and have also identified below any application for patent on this invention having a filing date before that of the application for patent on which priority is claimed:

<u>Application No.</u>	<u>Date of Filing (day/month/year)</u>	<u>Priority Claimed</u>
60/200,590	28 April 2000	Yes <u>X</u> No <u> </u>
60/214,674	27 June 2000	Yes <u>X</u> No <u> </u>
60/228,556	28 August 2000	Yes <u>X</u> No <u> </u>

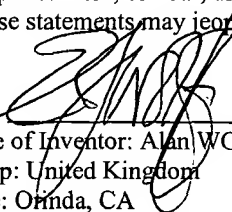
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) and (b) set forth above which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.:

Filing Date:

Status (patented, pending, abandoned):

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: 

Date

9/17/01

Full Name of Inventor: Alan WOLFFE

Citizenship: United Kingdom

Residence: Orinda, CA

Post Office Address: 155 Alice Lane, Orinda, CA 94563

Signature: 

Date

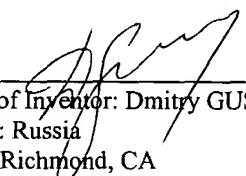
9/17/01

Full Name of Inventor: Fyodor URNOV

Citizenship: Russian Federation

Residence: Richmond, CA

Post Office Address: 135 Lakeshore Court, Richmond, CA 94804

Signature: 

Date


9/17/01

Full Name of Inventor: Dmitry GUSCHIN


Citizenship: Russia

Residence: Richmond, CA


Post Office Address: 2635 Lancaster Drive, Apt. 18, Richmond, CA 94806

Signature: 
Full Name of Inventor: Trevor COLLINGWOOD
Citizenship: New Zealand
Residence: San Pablo, CA
Post Office Address: 3400 Richmond Parkway, Apt. 3924, San Pablo, CA 94806

Date 9/17/01

Signature: 
Full Name of Inventor: Xiao-Yong LI
Citizenship: US
Residence: Richmond, CA
Post Office Address: 172 Lakeshore Court, Richmond, CA 94804

Date 9/18/01

Signature: 
Full Name of Inventor: Brian JOHNSTONE
Citizenship: US
Residence: Benicia, CA
Post Office Address: 1229 Monte Vista Court, Benicia, CA 94510

Date 9/17/01



Atty Dkt No. 8325-0015
S15-US1
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 16 Oct 2001.

10/16/01 Susan LaMont
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

WOLFFE et al.

Serial No.: 09/844,501

Group Art Unit: 1645

Filing Date: April 27, 2001

Examiner: Unassigned

Title: DATABASES OF REGULATORY SEQUENCES: METHODS OF MAKING
AND USING SAME

CERTIFICATE UNDER 37 CFR 3.73(b)

SANGAMO BIOSCIENCES, INC., a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. A copy of the assignment is attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 9-19-01

Peter Bluford
SANGAMO BIOSCIENCES, INC.

Name: Peter Bluford

Title: Vice President, Corporate Development

ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Alan P. WOLFFE; Fyodor URNOV; Dmitry GUSCHIN; Trevor COLLINGWOOD; Xiao-Yong LI and Brian JOHNSTONE (hereinafter referred to as the assignors), residing at Orinda, CA; Richmond, CA; Richmond, CA; San Pablo, CA ; Richmond, CA and Benicia, CA respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in DATABASES OF REGULATORY SEQUENCES: METHODS OF MAKING AND USING SAME set forth in an application for Letters Patent of the United States, bearing Serial No. 09/844,501 and filed on April 27, 2001; and

WHEREAS, Sangamo BioSciences, Inc. a corporation duly organized under and pursuant to the laws of Delaware, and having its principal place of business at Point Richmond Tech Center 501 Canal Blvd., Suite A100 Richmond, CA 94804 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

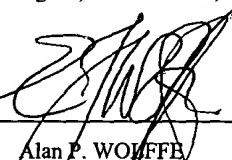
NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Union for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

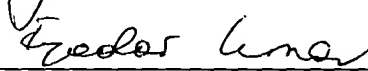
AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery

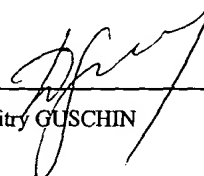
of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

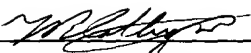
AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.


AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

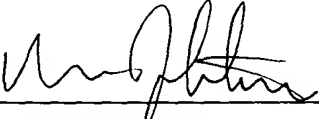
Date 9/17/01 Name of Inventor 
Alan P. WOFFE

Date 9-20-2001 ^{17 F.B.U.} Name of Inventor 
Fyodor URNOV

Date 9/17/01 Name of Inventor 
Dmitry GUSCHIN

Date 9/17/01 Name of Inventor 
Trevor COLLINGWOOD

Date 9/18/01 Name of Inventor 
Xiao-Yong LI

Date 9/17/01 Name of Inventor 
Brian JOHNSTONE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, number, and address): (415) 442-0900 W. SCOTT THOMAS, ESQ. (STATE BAR NO. 63597) BROBECK, PHLEGER & HARRISON LLP One Market, Spear Street Tower San Francisco, CA 94105 ATTORNEY FOR (Name): Elizabeth J. Wolffe		TELEPHONE AND FAX NOS.: Fax: (415) 442-1010
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Contra Costa STREET ADDRESS: 725 Court St., Room 103 MAILING ADDRESS: CITY AND ZIP CODE: Martinez, CA 94553-1233 BRANCH NAME:		
ESTATE OF (Name): ALAN P. WOLFFE		
DECEDENT		
<p style="text-align: center;">LETTERS</p> <input type="checkbox"/> TESTAMENTARY <input type="checkbox"/> OF ADMINISTRATION <input type="checkbox"/> OF ADMINISTRATION WITH WILL ANNEXED <input checked="" type="checkbox"/> SPECIAL ADMINISTRATION		

FOR COURT USE ONLY

FILED

AUG 29 2001

EMILY L. DIES

CASE NUMBER:

P01-01211

LETTERS

- ☐ The last will of the decedent named above having been proved, the court appoints (name):
 - ☐ executor.
 - ☐ administrator with will annexed.
- ☒ The court appoints (name): Elizabeth J. Wolffe
 - ☐ administrator of the decedent's estate.
 - ☒ special administrator of decedent's estate
 - ☒ with the special powers specified in the Order for Probate.
 - ☐ with the powers of a general administrator.
 - ☐ letters will expire on (date):
- ☐ The personal representative is authorized to administer the estate under the Independent Administration of Estates Act ☐ with full authority ☐ with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
- ☐ The personal representative is not authorized to take possession of money or any other property without a specific court order.

AFFIRMATION

- ☐ PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
- ☒ INDIVIDUAL: I solemnly affirm that I will perform the duties of personal representative according to law.
- ☐ INSTITUTIONAL FIDUCIARY (name):

I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.
(Name and title):

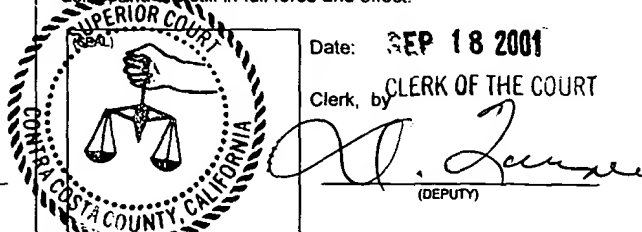
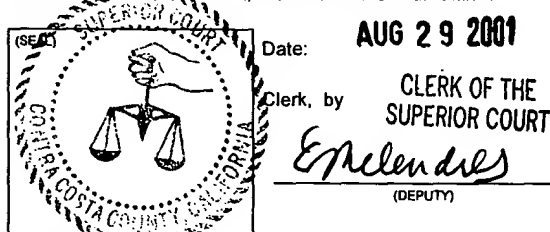
- Executed on (date): 08/29/01
at (place): Martinez, California.

Elizabeth J. Wolffe
(SIGNATURE)

CERTIFICATION

I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside and are still in full force and effect.

WITNESS, clerk of the court, with seal of the court affixed.



**ESTATE OF ALAN P. WOLFFE
CONTRA COSTA COUNTY SUPERIOR COURT**

**ATTACHMENT 3d(2) TO ORDER FOR LETTERS
OF SPECIAL ADMINISTRATION**

ELIZABETH J. WOLFFE, is hereby appointed as Special Administrator of the Estate of ALAN P. WOLFFE, with the following special powers:

1. The power to execute patent applications and related documents as personal representative of the decedent;
2. The power to execute stock certificates and related documents as personal representative of the decedent; and
3. The power to take any other actions necessary, as personal representative, to preserve the assets of the estate.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): - - - - - (415) 442-0900 Fax: (415) 442-1010 W. SCOTT THOMAS, ESQ. (STATE BAR NO. 63597) BROBECK, PHLEGER & HARRISON LLP One Market, Spear Street Tower		FOR COURT USE ONLY	
San Francisco, CA 94105 ATTORNEY FOR (Name): Elizabeth J. Wolffe		FILED AUG 29 2001	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Contra Costa STREET ADDRESS: 725 Court St., Room 103 MAILING ADDRESS: CITY AND ZIP CODE: Martinez, CA 94553-1233 BRANCH NAME:		JUL 15 2001 <i>[Signature]</i>	
ESTATE OF (Name): ALAN P. WOLFFE		DECEDENT	
ORDER FOR PROBATE ORDER APPOINTING <input type="checkbox"/> Executor <input type="checkbox"/> Administrator with Will Annexed <input type="checkbox"/> Administrator <input checked="" type="checkbox"/> Special Administrator <input checked="" type="checkbox"/> Order Authorizing Independent Administration of Estate <input checked="" type="checkbox"/> with full authority <input type="checkbox"/> with limited authority		CASE NUMBER: P01-01211	
WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.			

1. Date of hearing: _____ Time: _____ Dept./Room: _____ Judge: _____

THE COURT FINDS

2. a. All notices required by law have been given.
b. Decedent died on (date): 05/26/01
(1) ☒ a resident of the California county named above.
(2) ☐ a nonresident of California and left an estate in the county named above.
c. Decedent died,
(1) ☐ intestate
(2) ☒ testate
and decedent's will dated: July 24, 1996 and each codicil
was admitted to probate by Minute Order on (date):

THE COURT ORDERS

3. **(Name):** Elizabeth J. Wolffe
is appointed **personal representative**:
- a. ☐ executor of the decedent's will
b. ☐ administrator with will annexed
c. ☐ administrator
- d. ☒ special administrator
- D.G.* ~~(1) ☒ with general powers~~
(2) ☒ with special powers as specified in Attachment 3d(2)
(3) ☒ without notice of hearing
(4) ☐ letters will expire on (date):

4. a. ☒ **Full Authority** is granted to administer the estate under the Independent Administration of Estates Act.
- b. ☐ **Limited authority** is granted to administer the estate under the Independent Administration of Estates Act (there is no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
5. a. ☒ Bond is not required.
- b. ☐ Bond is fixed at: \$ _____ to be furnished by an authorized surety company or as otherwise provided by law.
- c. ☐ Deposits of: \$ _____ are ordered to be placed in a blocked account at (specify institution and location): _____ and receipts shall be filed. No withdrawals shall be made without a court order. ☐ Additional orders in Attachment 5c.
- d. ☐ The personal representative is not authorized to take possession of money or any other property without a specific court order.
6. ☐ (Name): _____ is appointed probate referee. ✓ ↗

Date:

AUG 30 2001

JUDGE OF THE SUPERIOR COURT

7. Number of pages attached: 1

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

**ESTATE OF ALAN P. WOLFFE
CONTRA COSTA COUNTY SUPERIOR COURT**

**ATTACHMENT 3d TO PETITION FOR LETTERS
OF SPECIAL ADMINISTRATION**

The Petitioner respectfully requests that the court grant Letters of Special Administration to the Petitioner for the purpose of endorsing certain patent applications and stock documentation in connection with the decedent's business.

The Petitioner is the decedent's surviving spouse, and is the nominated Executor and sole beneficiary under the decedent's Will. The decedent was a research scientist, employed by Sangamo BioSciences, Inc., in Richmond, California. In his capacity as employee, the decedent developed a number of inventions, which are the intellectual property of his employer. In order to apply for patents for these inventions, the Petitioner, as personal representative of the decedent, must execute certain documentation. The patent applications must be filed immediately to avoid the loss of any such intellectual property by Sangamo BioSciences, Inc.

The Petitioner has also been advised by the Board of Directors of Sangamo BioSciences, Inc. that she, as personal representative of the decedent, must execute as soon as possible certain stock certificates and other documentation, necessary to transfer the stocks to her name as personal representative, in order for her to exercise her rights as shareholder in the company. These actions are required immediately, and are necessary and proper under the circumstances.

The Petitioner, as sole beneficiary, will be filing a Spousal Property Petition to effect the transfer of the decedent's assets to her pursuant to the terms of the decedent's Will. In the interim, her immediate appointment as Special Administrator is necessary in order to orderly administer and to avoid losses by the estate.

